

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

DAMMUON EPPS,

Plaintiff,

v.

CASE NO. 3:19-CV-345-WKW
[WO]

NANCY BUCKNER, in her official
capacity as Commissioner for the
Alabama Department of Human
Resources for the State of Alabama
and as an officer within the Alabama
Children's Policy Council;
ZACHARY COLLINS, in his official
capacity as Chairman of the Russell
County Children's Policy Council for
the State of Alabama and Russell
County; BARBARA COOPER, in
her official capacity, Secretary of the
Department of Early Childhood
Education for the State of Alabama
and as Chairman of the Alabama
Children's Policy Council; KAY
IVEY, in her official capacity as
Governor of the State of Alabama,
Chairman of the State Board of
Human Resources and as an officer
within the Alabama Children's Policy
Council; ALLISON BRYARS, in his
official capacity as Director of the
Russell County Department of
Human Resources and as member of
the Russell County Children's Policy
Council; and TOM PARKER, in his
official capacity as Administrative
Head of the Alabama Judicial System

and in his capacity as Vice-Chairman)
of the Alabama Children's Policy)
Council,)
)
Defendants.)

ORDER

On December 13, 2021, the Magistrate Judge filed a Recommendation. (Doc. # 66.) On December 28, 2021, the court adopted the Recommendation after no objections were filed (Doc. # 74) and entered final judgment (Doc. # 75). On December 29, 2021, Plaintiff's objection to the Recommendation was received and docketed. (Doc. # 78.) The objection is timely.¹

Accordingly, it is ORDERED that the December 28, 2021 Order (Doc. # 74) and the final judgment (Doc. # 75) are VACATED.

DONE this 3rd day of January, 2022.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE

¹ "Under the prison mailbox rule, a *pro se* prisoner's court filing is deemed filed on the date it is delivered to prison authorities for mailing. Absent evidence to the contrary, [courts] assume that the prisoner's filing was delivered to prison authorities the day he signed it." *Daker v. Comm'r, Ga. Dep't of Corrs.*, 820 F.3d 1278, 1286 (11th Cir. 2016) (cleaned up).